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EROSION & SEDIMENT CONTROL

This brochure is designed to help understand what erosion and sedimentation requirements you need to follow when applying for a building permit. When construction activities disturb land, erosion and sedimentation can occur. New requirements and performance standards have been created to control soil erosion and sedimentation through the use of temporary and permanent erosion and sediment control practices.

What is Erosion and Sediment Control?

When elements such as running water, ice, or wind, continually batter the surface of the land, erosion occurs. Sedimentation occurs when materials get deposited by flowing or standing water. The purpose and intent of the Erosion and Sedimentation Control requirements is threefold:

- To protect and prevent damage to Liberty Lake's storm water management infrastructure.
- To minimize the effects of land-disturbing activities, including:
 - Erosion, sedimentation, and the impact of increased runoff onto private property, public roads, right-of-ways, and bodies of water.
- To protect the health, safety and welfare of the general public.

Do I need to submit an Erosion and Sedimentation Control plan?

The Erosion and Sedimentation Control requirements and provisions apply to land-disturbing activities that require a permit.

A land-disturbing activity is one that results in a change in the existing soil cover (either vegetative or non-vegetative) and/or the existing soil topography.

Examples include:

Demolition, construction, clearing, grading, filling, logging, and excavation.

An Erosion and Sedimentation Control plan is required to be submitted to Liberty Lake Planning and Community Development with your permit application when you are planning a major land-disturbing activity.

What is a major land-disturbing activity?

Major land-disturbing activities are those activities that disturb an area equal to or greater than one acre, or create additional impervious surface area greater than or equal to 5,000 square feet.

What if my major land-disturbing activity does not need a permit?

All major land-disturbing activities that do not require a permit or approval by Liberty Lake are not required to have an Erosion and Sedimentation Control plan submitted. However, these activities are still required to meet the performance standards. The enforcement provisions will also apply to these activities. Property owners should realize that, although a land-disturbing activity may not require a permit from Liberty Lake, a permit may be required from state and/or federal agencies.

What is a minor land-disturbing activity?

A land-disturbing activity is considered minor if less than one acre of land is disturbed, a single family residence or duplex is constructed, or less than 5,000 square feet of impervious surface area is created.

These activities do not require the property owner to apply for a permit or submit an Erosion and Sedimentation Control plan. However, you are required to meet all performance standards and requirements of Erosion and Sedimentation Control.

When do I submit the Erosion and Sediment Control plan?

The Erosion and Sedimentation Control plan will be submitted with the permit or land use application prior to any land-disturbing activities and must address the area of land to be disturbed. The permit applicant is responsible for ensuring that all requirements are addressed in the Erosion and Sedimentation Control plan. If your project requires an Erosion and Sedimentation Control plan, Liberty Lake can not issue you the permit unless your Erosion and Sedimentation Control plan is submitted.

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Erosion and Sedimentation Control best management practices are used to help property owners to meet requirements. Examples of best management practices can be obtained from the Liberty Lake Sewer & Water District (922-5443). They can provide property owners with a brochure about best management practices with examples that help meet erosion and sediment control requirements. If you want to experiment with new techniques to control erosion and sedimentation, we encourage you to do so, however, the experimental management practices are required to meet the performance standards.

What Performance Standards do I need to meet?

By now you might be wondering what the performance standards are. Essentially, the performance standards are intended to provide a minimum threshold for controlling soil erosion and sedimentation caused by land-disturbing activities.

Erosion and Sediment Control Performance Standards

- Minimize tracking onto public, private, and future public roads
- Protection of public roads and storm water facilities
- Proper washout of concrete trucks and equipment
- Protection of private properties
- Protection of bodies of water and wetlands

1. Minimize tracking onto public, private and future public roads:

Tracking should be prevented from occurring using Erosion and Sediment Control best management practices, or a reasonable effort must be made to clean up the area if soil, dirt, mud, or debris is tracked onto public, private or future public roads.

2. Protection of public roads and storm water facilities:

Performance standards are not being met if more than 2 gallons per day of soil, dirt, mud, or debris is deposited, other than tracking, from the project site onto adjacent public roads and/or a storm water system within a public right-of-way.

3. Proper washout of concrete trucks and equipment:

Performance standards are not being met if there is observable evidence of concrete washout material within a drainage area,

storm water facility, body of water, or a proposed storm water facility area.

4. Protection of private properties:

Liberty Lake does not presently have the resources to enforce the provisions of an Ordinance for violations that affect private properties. Therefore, no performance standards have been established with regard to depositing soil, dirt, mud, or debris from a project site onto adjacent private property. However, private property owners may have the ability to seek judicial redress for such actions.

5. Protection of bodies of water and wetlands:

Performance standards have not been met if there are deposits of soil, dirt, mud, or debris from the project site to adjacent bodies of water.

What happens if I don't meet the performance standards?

If your project does not meet the performance standards outlined in the Erosion and Sedimentation Control plan, a, "Notice of Non-Compliance", will be issued to the permit applicant or property owner. The Notice of Non-Compliance will contain information on the location and description of the construction project, a description of the noncompliance and the corrective action that needs to be taken within 24 hours, the amount of the penalty that will be imposed if corrective action is not taken, and information regarding the appeal process. Failure to stop the activity noted in the Notice of Non-Compliance or take corrective action can result in a fine of \$1,000 a day for major land-disturbing activities or \$250 a day for minor land-disturbing activities. Each day of violation will be counted as a separate violation.

The City of Liberty Lake can only impose penalties on permit applicants if the project is related to public facilities. Violations related to private property are a civil matter and are not enforceable by the City of Liberty Lake.

For more information or an appointment contact:
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